

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: C.R. BARD, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL 2187

THIS DOCUMENT RELATES TO:

Adkins v. C. R. Bard, Inc., et al.

Civil Action No. 2:13-cv-05921

ORDER

(Dismissing Defendants C. R. Bard, Inc. and Sofradim Production SAS With Prejudice and
Transferring Case to MDL 2327)

Before the court are (1) a Notice of Voluntary Dismissal With Prejudice, filed by plaintiff on February 2, 2018 [ECF No. 19], seeking to dismiss defendant Sofradim Production SAS pursuant to Rule 41(a)(1)(A)(i); (2) a Stipulation of Dismissal With Prejudice, filed jointly by the plaintiff and defendant C. R. Bard, Inc. (“Bard”) on February 2, 2018 [ECF No. 20], seeking the dismissal of Bard pursuant to Rule 41(a)(1)(A)(ii) ; and (3) a Motion to Transfer MDLs, filed by plaintiff on February 22, 2018 [ECF No. 21], seeking to transfer this civil action from MDL 2187 to MDL 2327, the appropriate remaining MDL.

The court **ORDERS** that the Notice of Voluntary Dismissal With Prejudice [ECF No. 19] and the Stipulation of Dismissal With Prejudice [ECF No. 20] are **APPROVED**. Defendants Sofradim Production SAS and C. R. Bard, Inc. are **DISMISSED WITH PREJUDICE** from this civil action. The court further **ORDERS** that the plaintiff’s Motion to Transfer MDLs [ECF No. 21] is **GRANTED**; this action is **TRANSFERRED** to MDL 2327.

Pursuant to Bard MDL Pretrial Order No 275 as amended by PTO No 283 (Amended Docket Control Order – C. R. Bard, Inc. Wave 7 Cases), which states the following,

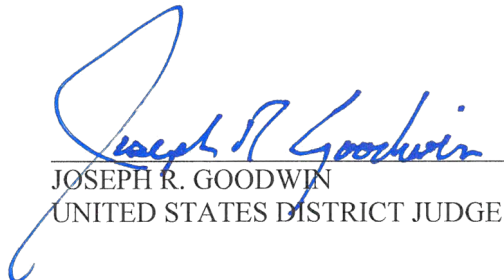
Transfer of any Wave 7 case to any other MDL, whether by ruling upon a motion from plaintiff or defendants or *sua sponte* by the court, does not relieve the plaintiff or any remaining defendant(s) from the deadlines of a Docket Control Order. Any cases transferred into American Medical Systems, Inc. (“AMS”), Boston Scientific Corporation (“BSC”) or Ethicon, Inc. (“Ethicon”) MDLs will immediately be subject to the Docket Control Order entered in that MDL on January 30, 2018, and any Amended Docket Control Orders[.]

this case, which resided previously in Bard Wave 7, is now subject to PTO Nos. 280 and 303 entered in MDL 2327. To the extent an Amended Short Form Complaint has not been filed, the court **DIRECTS** plaintiffs’ counsel to file the appropriate Amended Short Form Complaint within two weeks of the date of this Order.

The court **DIRECTS** the Clerk as follows:

- (1) disassociate this civil action as a member case in MDL 2187 and re-associate it with MDL 2327;
- (2) file MDL 2327, PTO Nos 280 and 303 in this individual case;
- (3) change the 2187 Wave 7 flag to a MDL 2327 Wave 8 flag; and
- (4) send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: August 16, 2018


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE